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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Harry E. Emerson, III et al.  
Serial No.: 09/477,936  
Filed: January 5, 2000  
For: **SYSTEM FOR MODIFYING AND TARGETING ADVERTISING  
CONTENT OF INTERNET RADIO BROADCASTS**  
Docket No.: 0021-46

Group Art Unit: 3622  
Examiner: James W. Myhre

Morristown, N.J. 07960  
February 7, 2003

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**RESPONSE UNDER 37 C.F.R. 1.111**

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In response to the office action dated November 13, 2002, in the above-identified application, the following remarks are filed. Claims 1-12 are under consideration.

**REMARKS**

Applicants' invention as recited by claims 1-12 provides a method and system for the delivery of broadcast radio programs via the Internet. Means are provided by which commercials present in the program material, as originally generated at a radio station, may be identified and replaced by substitute commercials inserted by an Internet hosting service. The Internet's bi-directional and individual connectivity allows selection and transmission of replacement commercials that are of particular interest or relevance to a particular user. Demographic information characterizing the user may be maintained and used as a basis for this selection.

The ability to individualize and tailor program content is advantageous for an advertiser, as it allows the advertiser to allocate an advertising budget in a prudent and highly effective manner. Products may be touted to those consumers whose interests, personal characteristics (age, gender, marital status, and the like), location, and other comparable demographic characteristics make them